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Fifty-fifth session
Item 9 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Letter dated 20 May 1998 from the Chargé d'affairs a.i.of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

I have the honour to write to you concerning the letter addressed to you by H.E. Mr. J. Dienstbier, the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia on 8 April 1998 (document E/CN.4/1998/164).

I am glad to note that, according to Mr. Dienstbier, his visit, even though at short notice, was well organized, and that he was satisfied with the reception accorded to him, as well as the cooperativeness of the Yugoslav authorities.

As this was the very first occasion for the Special Rapporteur to get acquainted with the human rights situation in the Federal Republic of Yugoslavia, I consider as preliminary the opinions, assessments and comments contained in his letter, while looking forward to an in-depth analysis aimed at projecting a more realistic reflection of the current situation of human rights in the country, particularly concerning Kosovo and Metohija. This letter, which contains concrete observations and comments, coupled with additional information (the annex)* relative to the Special Rapporteur's generalized statements, is to be instrumental to that end, thus adding to the accuracy of the report and to its comprehension.

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* Reproduced in the language of submission only.

The recently committed terrorist acts in Kosovo and Metohija are additionally threatening, since they should be perceived as conducive to the secession of a segment of the territory of Serbia and the Federal Republic of Yugoslavia. The Federal Republic of Yugoslavia and the Republic of Serbia are entitled to combat terrorism in Kosovo and Metohija and to resort to all legal means. Regrettably, the report refers to terrorist attacks against the forces of the Serbian Ministry of Internal Affairs and the civil population of Kosovo and Metohija including ethnic Albanians loyal to the Republic of Serbia in poor, commonplace language, with details missing concerning these attacks or the perfidious manner in which they were perpetrated. The report lacks a straightforward and unequivocal condemnation of these terrorist acts, and all the activities of ethnic Albanian terrorists who have been committing terror for some time now, jeopardizing peace and security, the sovereignty of the Republic of Serbia and the Federal Republic of Yugoslavia, thus giving rise to anxiety.

One is astounded to note that terrorist attacks perpetrated in the past two years, which claimed 40 casualties, coupled with 200-odd attacks against police and civilians, are mentioned only casually. In my view these issues should be given much more consideration, since they constitute a major threat to the stability of the region and the safety of inhabitants of Kosovo and Metohija.

Another shocking detail is that terrorist attacks on civilians and ethnic Albanians loyal to the authorities - such as the kidnapping and killing of six ethnic Albanians loyal to the Republic of Serbia, in the vicinity of Prizren - were not given more coverage and explanation, with all relevant details missing. This event, mentioned in the report, occurred during the visit of the Special Rapporteur to Kosovo and Metohija.

Contrary to this meagre and generalized summary of terrorist attacks, the report contains far more detailed coverage of the activities of the Serbian Ministry for Internal Affairs in its fight against terrorists, covering in particular the events of 28 February and 5 March 1998. More often than not, arbitrary statements by alleged witnesses or eye-witnesses are taken as evidence, implying the Ministry's overstepping of powers and its excessive use of force.

One is in a dilemma to explain the report's questioning the reasons behind the Ministry's operation, since the terrorist attack, killing four and injuring another two policemen on that day, are mentioned in the same paragraph. It is universally known that a terrorist attack against policemen is considered as the severest of all crimes, punishable by the harshest of measures in every civilized country; why the same logic is missing here remains a mystery. Questioning the efforts of the Ministry of Internal Affairs to ensure public order and peace in Kosovo and Metohija and to resist terrorist activities is very surprising indeed, particularly so since it is evident that the terrorists used heavy weaponry, mortars, automatic weapons, hand grenades, etc. in all these conflicts. The question here is how to efficiently oppose terrorists other than by carrying out searches to locate terrorist nuclei in order to thwart their activities and to uncover their arms caches with all the weaponry prepared in advance for their attacks, as is done by police in all the countries when combatting terrorism.

In view of the report's recommendations and conclusions, allow me to underscore that H.E. Mr. Mirko Marjanovic, Prime Minister of the Republic of Serbia, wrote a letter to H.E. Mr. Cornelio Sommaruga, the President of the International Committee of the Red Cross, requesting the setting up of an international fact-finding ad hoc group of expert pathologists for Kosovo and Metohija, to work together with Yugoslav experts. Since Mr. Sommaruga explained in his reply of 19 March 1998 that our request was not within the ICRC's mandate, the Governments of the Republic of Serbia and the Federal Republic of Yugoslavia issued invitations to a number of countries to appoint one to three expert pathologists each, for setting up an ad hoc group as soon as possible. So far, these countries have responded favourably in principle, but their suggestions, with names of their respective experts, are missing as yet. Once the ad hoc group is set up, it could start its work, as the respective court and medical documents are already available and conditions provided for its successful deliberations. Once their work is over, you will be acquainted with their findings.

The Federal Republic of Yugoslavia fully observes all international standards and human rights envisaged for detained persons. According to the reports submitted by competent bodies, no illegal methods have been enforced upon the detained, nor has any case of torture been reported; notwithstanding this fact, the above investigation, ordered by the Serbian Ministry for Internal Affairs, will engage in a case-by-case examination, lest any violation of law, peace and security were committed.

The Yugoslav legislation provides for rights of detainees in compliance with the highest international standards, which include also regular contacts with family members and attorneys. As for the health care of detainees, every detainee is first taken for a medical examination and, if need be, to a civilian health establishment or a specialized prison hospital.

I wish to point to the fact that it is unsafe and detrimental to urge the Kosovo and Metohija ethnic Albanian leaders to achieve their aims through peaceful means, as stated in recommendations 5.1., particularly since their target is overt secession. The Federal Republic of Yugoslavia and the Republic of Serbia expect and demand that the international community openly condemn terrorist activities in Kosovo and Metohija, as well as any attempt of secession or threats against the sovereignty of the Federal Republic of Yugoslavia. Also, it is indispensable that concrete measures be taken for severing the inflow of funds channelled for terrorist actions in Kosovo and Metohija, these funds often stemming from Albanian narco-mafia criminal activities or the arms smugglers who maintain centres in Western Europe and whose activities have been tolerated by some countries. In this connection, it is inadmissible that the Special Rapporteur, although well aware of the Albanian minority demands after talking to their representatives in Pristina, did not even mention, let alone condemn, their demands for secession.

My view is that the recommendation concerning access to humanitarian organizations is superfluous, since their activities in Kosovo and Metohija have never been halted, unless at their own initiative, on rare occasions (anonymous threats), and for short spells of time. The Governments of the Federal Republic of Yugoslavia and of the Republic of Serbia provide free access to Kosovo and Metohija for all government and non-governmental

organizations which have expressed their interest. Representatives of the United Nations High Commissioner for Human Rights, UNHCR, the ICRC and of a series of non-governmental organizations are operating there on a permanent basis. The ICRC representative in Belgrade confirms that there are no impediments in the way of the activities of this humanitarian organization in Kosovo and Metohija and that the organization has access to all individuals and parts of the Federal Republic of Yugoslavia of its interest.

The last three paragraphs in the letter contain political observations of the Special Rapporteur, and I would like to comment on them as well.

The claim that the "crisis in Kosovo and Metohija" is based on unresolved political questions is vague. The crux of the problem is, first and foremost, the insistence of a segment of extremist leaders of ethnic Albanians to secede, this idea lying behind their refuting dialogue on any other issue, including the issue of human and minority rights.

The Special Rapporteur's insistance on the need for "both parties" to commence a dialogue immediately, without his referring to the fact that, to this date, on 12 occasions, high-level delegations of the Republic of Serbia, along with the representative of the President of the Federal Republic of Yugoslavia, have gone to Pristina to hold talks with the representatives of ethnic Albanians who failed to show up, even though representatives of other minorities and ethnic groups there have acknowledged the invitation, is inadmissible.

The statement whereby "progress in resolving the crisis has been minimal" should contain a clear-cut judgement as to who is to bear the blame for such a situation. Particularly so since the Agreement on Normalization of Education in Kosovo and Metohija has been signed and almost completely implemented in practice, owing primarily to the efforts and willingness of the Serbian side, since the special police force has been withdrawn from Kosovo and Metohija, and as the tensions are being further intensified owing to ethnic Albanian terrorists increasingly and fanatically targeting civilians.

The Government of the Republic of Serbia is willing and able to resolve all the problems in Kosovo and Metohija through direct and unconditional dialogue with the representatives of ethnic Albanian political parties, as well as with other minorities or ethnic groups there - Muslim, Roma, Turkish, Croat, etc.

Mr. Milan Milutinovic, the President of the Republic of Serbia, went to Pristina on 7 April willing to take part in the initial dialogue, but the representatives of ethnic Albanian political parties did not show up. Instead, they travel to Tirana to reach agreement there.

All the proposals and initiatives made by the Government of the Republic of Serbia are based on European and international standards, in particular on the Convention on the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, the Framework Convention of the Council of Europe on the Rights of National Minorities and the European Charter on Local

Self-Government. It is exactly along these lines that the President and the Government of the Republic of Serbia are permanently appealing to the leaders of ethnic Albanian political parties to sit and start a dialogue.

May I reiterate that the Government of the Federal Republic of Yugoslavia has proposed to the Office of the High Commissioner for Human Rights to conclude an agreement on the status of its office in Belgrade, to be elevated to the highest possible level, in conformity with the Vienna Convention on Diplomatic Relations and the Convention on the Privileges and Immunities of the United Nations.

Allow me to conclude that the Federal Republic of Yugoslavia is looking forward to working together with the Special Rapporteur, thus further developing and promoting this cooperation, in accordance with our common interest to protect and promote human rights while observing universally accepted international principles.

In this connection, I deem it would be appropriate that the Belgrade office of the High Commissioner for Human Rights maintain ever closer cooperation with the representatives of official bodies of the country. Insistence on undocumented allegations and putting the blame on local authorities result in projecting a distorted picture of past events in Kosovo and Metohija. Hence, certain recommendations and conclusions made by the Special Rapporteur are not a reasonable reflection of the situation, nor do they serve for protecting and promoting human rights.

I would ask you, Mr. Chairman, kindly to forward this letter, together with its annex, to Mr. Dienstbier, to distribute it to all the members of the Commission on Human Rights, and to have it published as an official document of its eighty-fifth session, under agenda item 9.

(signed) Miroslav MILOŠEVIĆ
Chargé d'affaires a.i.

ANNEX

A. Background to the actions of February and March 1998

The motives for the events covered by this section should be sought far back in history, rather than in the two-year period mentioned in the report. The ethnic Albanian terror in Drenica has not been practised "since yesterday", it first developed in the past, stretching further into World War II and afterwards, with Drenica being the stronghold of Albanian ballist gangs (who were fascist allies), serving as a nucleus for breeding outlaws and terrorist groups, as confirmed by reliable documents and evidence. The terrorist attacks under way for several months now - in particular those in the Srbica region - which have been threatening safety in several road directions and resulting in numerous casualties among the civilians, creating general insecurity among the population, have made it incumbent upon the police authorities to provide road safety by setting up police checkpoints, first and foremost in the Srbica region. However, on several occasions, the implementation of these measures has been hampered, inter alia, by ethnic Albanian terrorist actions, particularly by the Adem Jasari group, which mounted an ambush against the police patrols on 28 February, shot dead four policemen, injuring two more.

It is worthwhile recalling that in the region of the Autonomous Province of Kosovo and Metohija, in the period 1991 - 27 April 1998, ethnic Albanian separatists mounted 317 terrorist actions, killing 64 persons (42 civilians and 22 members of police). These have been perpetrated mainly in 1998, as evidenced by the fact that, in less than four months - from 1 January to 27 April - 183 terrorist actions were perpetrated, i.e. 57.7 per cent of the total number of terrorist acts committed in the last seven years. On 61 occasions, terrorists mounted attacks on the facilities and members of the Ministry for Internal Affairs of the Republic of Serbia (Srbica -29, Klina - 7, Glogovac - 4, Urosevac, Prizren, Kijevo and Podujevo - 3 each, Orahovac, Pristina and Decani -2 each, Istok, Vucitrn and Stimlje - 1 each), killing 9 members of the Ministry, inflicting severe injuries on 19 of them, and light bodily injuries on 10 among them. In 53 cases, the attacks against the members of police were committed when they were on duty (on three occasions, firing even at the Ministry helicopters), 7 times on housing facilities and the homes of the members of police; in one case, a private passenger car was stopped by armed masked terrorists. In the same period, 16 citizens were killed, and a number of civilians sustained severe or light injuries. The following civilians were killed: Orahovac: 6 ethnic Albanians; Klina: 2 Serbs and 2 ethnic Albanians; Glogovac: 3 ethnic Albanians; Srbica: 1 Serb and 1 ethnic Albanian; Decani: 1 Serb; 11 persons sustained severe bodily injuries - Djakovica: 3 ethnic Albanians; Pec: 2 Serbs; Decani: 1 Serb; Podujevo, Klina, Djakovica, Decani, Suva Reka and Srbica: 1 ethnic Albanian each. Nine ethnic Albanians and 9 Serbs sustained light bodily injuries.

In these terrorist actions, Albanian terrorists - either individually or in groups - used heavy armaments, such as mortars, machine-guns, hand mortars and bombs, automatic rifles and snipers, explosives and pistols.

The above facts fully substantiate justification for the Ministry's anti-terrorist operations against the nucleus of terrorist gangs in the area of Drenica - the villages around Srbica - where the largest number of attacks was perpetrated in the period.

The allegations whereby the members of the Ministry are responsible for operations in the villages of the Srbica district on 26 November 1997, when heavily armed Serbian police units, supported by armoured vehicles and helicopters surrounded a number of villages near Srbica, reportedly to apprehend a group of armed individuals suspected of having attacked the police a few days earlier, are unfounded, the actual facts being the following:

On 26 November 1997, a team consisting of an investigation judge, the district public attorney and the Ministry's authorized officials from Kosovska Mitrovica, was sent for the second time to the village of Vocnjak, the Srbica district, for on-the-spot investigation of a terrorist attack perpetrated the previous day against two Kosovska Mitrovica District Court employees. At 10.15 a.m., on the road leading to this village, a large number of terrorists deployed atop two hills and a forest, attacked the team on the road leading to this village, with automatic weapons, hand mortars and hand grenades. In order to defuse the attack and protect lives, the members of the Ministry also used firearms. This terrorist attack lasted one and a half hour, three policemen sustained injuries, one of them was heavily injured. When retreating, on the road to the village of Turicevac, and when entering the village of Lausa, the members of the Ministry and the whole team were attacked again, but to no avail.

It is claimed in the report that the Serbian police, in response to attacks by the so-called Kosovo Liberation Army, searched for weapons houses and entire villages in Kosovo and Metohija, including the village of Drenica. The allegations of arrests, severe ill-treatment and torture of large numbers of ethnic Albanians are tendentious and false, unsubstantiated by any fact or evidence - sheer fabrication constantly resorted to and propagated by Shiptar separatists, their henchmen and mentors from inside and outside of the country. For instance, in referring to terrorist attacks in Likosani and the villages of the Drenica district of Glogovac, of 28 February and 1 March 1998, some Yugoslav and foreign media launched falsehoods on alleged torture of arrested and detained ethnic Albanians. The Serbian Ministry for Internal Affairs rejected these allegations most emphatically in its Statement issued by the Tanjug national news agency on 6 March 1998. It is indicated in the Statement, inter alia, that a number of persons were detained for establishing their identity and for informative talks, that nine persons were released the same day, that another five were kept in detention since they had on them substantial quantities of weapons, ammunition, mine and explosive devices.

B. Concerns pertaining to the right to life

This section relates to alleged human rights violations by the members of the Ministry for Internal Affairs of the Republic of Serbia, who are ascribed responsibility for terrorist attacks by ethnic Albanian separatists in the villages of Likosane and Cirez, near Glogovac, on 28 February 1998; in Prekaz, on 5 March, in Glodjani and Dubrava on 24 March 1998, and for the violation of international human rights and humanitarian rights by alleged

extra-judicial executions of detainees and indiscriminate firing on unarmed civilians. These allegations are unfounded, the actual facts being the following:

1. Likosani and Cirez

On 28 February 1998, between 11.30 a.m. and 12.20, on the Likosane village road, the district of Glogovac, police units on regular patrol in service vehicles were ambushed by ethnic Albanian separatists in several synchronized terrorist attacks. The terrorists used hand mortars, hand grenades, and automatic fire arms, killing policemen Vujkovic Miroslav (1971), Radojcic Goran (1968), Ivanovic Radoica (1969) and Jovanovic Milan (1971), while Damjanovic Pavle (1960) and Matejic Slavisa (1970) sustained heavy injuries. Several service vehicles were damaged during the attack. In the course of the police intervention aimed at containing resistance and thwarting the attack, when lives of policemen were threatened, 16 terrorists were killed. Five persons were denied freedom, substantial quantities of fire arms - mine-explosive devices and other armaments - were found on them. As for the searches of the area and the houses wherefrom terrorist attacks were committed, two automatic rifles, 4 rifles, 130 hand grenades, 24 mines for hand launchers, 13 kg of explosives, 40 detonator powder charges, 3 clock mechanisms, some 3,000 bullets and 80 hand grenade lighters were found.

2. Prekaz

In the early morning of 5 March 1978, a group of terrorists committed a new attack on the police patrol in the vicinity of Donje Prekaze, district of Strbac. Once the police responded, the terrorists retreated and barricaded in the Jasari family compound, in the said village. In conformity with law and the service rules, upon surrounding the compound, the police invited the terrorists to surrender, and other individuals to leave the spot in two hours' time. Several dozens of citizens obeyed and safely left the compound. Upon the repeated appeal to surrender, the Adem Jasari terrorist group responded by fire, using heavy armaments - mine launchers, machine guns and bombs - automatic rifles and snipers.

In this ethnic Albanian separatists' terrorist attack, which took 27 hours, 51 persons were killed in the course of the Ministry members' intervention. It was established later that, regrettably, among those killed were some members of the Jasari family who failed to surrender since prevented by terrorists. The detail that Jasari in person killed his nephew in order to prevent him surrender illustrates Jasari's cruelty. As a matter of fact, Jasari had been hiding, since considered responsible for several killings and wounding of citizens and members of police, out of which reasons he had been sentenced to 20 years' imprisonment in absentia. As most of those from among the terrorists, Jasari had attended military training courses in Albania (in 1990), setting up an illegal terrorist gang in the Prekaz area afterwards.

During this terrorist attack, ethnic Albanian separatists killed policeman Rade Radakovic (1961), whereas policeman Andreas Koncarevic (1972) was shot dead during the operation aimed at thwarting the terrorists'

resistance, with eight policemen sustaining heavy injuries. On the whole, 67 persons on the side of terrorists were killed in the two operations - on 28 February and 5 March.

Bodies of several persons who were killed in the 28 February operation, were taken from the spot by the terrorists.

3. Other incidents

Police operations of 24 March 1998, in Glodjani and Dubrava, when three persons were killed and another 20 injured, are discussed in this section of the report as if being incidental. In this connection, the facts are the following:

On 24 March 1998, at 10.45 a.m., in the village of Dubrava, district of Decani, a terrorist attack was committed on the police patrol which was carrying out its regular activity in a service vehicle. An ambush followed from the houses close by with hand grenades and automatic firearms, and policeman Miodrag Otovic was shot dead. Police teams of Djakovica and Decani were sent to the spot to help but, even before entering the village of Dubrava, they were ambushed with hand mortars and automatic firearms.

In order to check the attack which indeed put in jeopardy their lives, the policemen used firearms, organized pursuit and managed to defuse terrorists into small groups. In the centre of the village of Glodjani, at 3.45 p.m., one group of terrorists launched an attack on the police unit, using hand mortars and automatic firearms and injuring seven policemen. In the course of this operation, three machine-guns, three automatic and two semi-automatic rifles and 10 hand grenades were seized, along with substantial quantities of ammunition and military equipment of Chinese production, owned by the Albanian army units.

In the police operation that followed, two terrorists were killed. In the village of Glodjane, Rasim Sulemani was detained, another 14 persons were held for informative talks. The terrorist arrested, Rasim Sulemani (Chairman of the Ibrahim Rugova Democratic Alliance of Kosovo for Glodjane) stated that this ambush had been perpetrated by some 30 armed terrorists from Albania.

The allegations based on testimony by eye-witnesses at the Office of the United Nations High Commissioner for Human Rights, whereby one protestor was shot dead and five others wounded during the Pec demonstrations of 18 March, and the claim that police wounded several protesters in Istok on 9 March, are false. The facts are the following:

Ethnic Albanian demonstrations, not previously notified to the authorities and in support of terrorist actions of ethnic Albanian separatists, were mounted in March in major Kosovo and Metohija cities. Concurrently, out of the same reason, ethnic Albanian women gathered in front of the United States of America Information Centre. At the same time, public order and peace were infringed in some other cities, with protesters throwing stones and various articles, thus provoking police to intervene. On the occasion, one policeman was heavily injured (on 2 March in Pristina), with six others sustaining light injuries. Individual cases of firearms shots on the

members of police and on the houses owned by ethnic Albanians loyal to the Republic of Serbia were recorded. Five persons - all of them Serbs and Montenegrins - were injured during these demonstrations, whereas 16 vehicl a number of houses and some shops were damaged. On 19 March 1998, in Pristina, at the crossroads of Vidovdanska and Kralja Petra streets, demonstrators started banging vehicles, beating a number of citizens - passengers and drivers in the vehicles stopped at semaphore red lights. A timely police intervention prevented heavier fighting between citizens and demonstrators. Attempts of ethnic Albanian protesters at the Pristina university students' hostels and the University building itself to launch attacks on Serbian and Montenegrin students, with prospects of large-scale fighting, were thwarted. On 19 March in Gnjilane, protesters stoned the kindergarten building accommodating refugees. Altogether, 18 protesters we detained by police in March, and released after talks with them.

During a protest of some 2,000 ethnic Albanians in Istok, on 9 March 1998, on two occasions, hunting rifle shots were heard from within masses of protesters. There was a case of one protester's self-inflicting injuries, thus sustaining heavy bodily injuries.

On 18 March 1998, during the Pec protests, firearms shots were heard several occasions. The protesters were shooting at policemen and at a hou property of an ethnic Albanian who had not joined them. Police did not intervene.

Hence, the report allegations whereby police fired on demonstrators, killing one on 18 March in Pec, are false. In this connection, the Minist of the Interior denied the rumours carried by some foreign and a segment o domestic media, and announced on 19 March 1998 the irrefutable fact: memb of police had not used firearms during the demonstrations, nor has a singl citizen been registered as injured or shot dead with the Ministry or any health establishment in the region of Kosovo and Metohija.

4. Comments and observations

This section of the report contains evidence given by alleged eye-witnesses who are accusing the police of extrajudicially executing detained persons and of indiscriminately shooting civilians. However, pol intervened in order to extend aid to the policemen attacked on regular dut since their lives were in jeopardy, and in order to evacuate the wounded a killed policemen. During this intervention, the police units were under intensive fire from various weapons, activated simultaneously from several directions and facilities, thus compelling them to respond by using servic firearms. No case of overstepping of power has been recorded.

Those who surrendered were not shot dead by police, nor were the kil terrorists massacred. Possibly though, terrorists have massacred the kill whose bodies were not accessible to police, or those shot dead, once their bodies were handed over to their families. Another possibility is that by using bombs and armaments of larger calibre - used by both the terrorists policemen - the bodies of the killed were further injured, thus giving ris wrong and ill-intentioned conclusions that they had been massacred.

In case any overstepping of power did take place, the competent bodies shall carefully examine it in the course of its regular investigation and apprise the public in due time. If established, any overstepping of power shall entail corresponding legal measures against those responsible for such acts.

The post-mortem examination and exhumation of bodies of those killed during ethnic Albanian separatists' terrorist attacks on the members of the Ministry for Internal Affairs is the responsibility of the Ministry of Justice.

C. Missing and detained persons

The allegations from reports received by the Office of the United Nations High Commissioner for Human Rights from various sources whereby, in the aftermath of the conflicts with terrorist gangs in Prekaz and Drenica, some persons are missing, have not reached the Ministry for Internal Affairs of the Republic of Serbia. Once a person is registered as missing, it is incumbent upon the Ministry to undertake all the measures envisaged for locating him/her.

The thing is that there are cases of missing Serbs, Montenegrins or ethnic Albanians loyal to the authorities of Serbia and the Federal Republic of Yugoslavia, subsequently established to have been kidnapped by ethnic Albanian terrorists, who perpetrate the severest of torture against them. Ultimately, some of these kidnappings end in the death of the kidnapped. Such was the case in the district of Klina, in the night of 2 April 1998, when a group of armed persons in fatigue uniforms, with the Republic of Albania Army's insignia and emblems, kidnapped six ethnic Albanians. Their bodies, drilled with automatic weapons bullets, have been uncovered at the Orahovac-Malisevo road, at a location called "Carevac".

D. Torture

This section of the report contains allegations whereby the police and State security forces arrested and detained five ethnic Albanians in Prizren, on 27 February 1998, still in custody, and subjected them to electric shocks and torture. This allegation of police abuse or torture is false. The members of the police carry out their duties in full compliance with the Constitution and respective legislation, where equal protection and the constitutionally laid down freedoms and rights for every man and citizen are provided, thus protecting human dignity. Accordingly, any form of discrimination or "act of torture" as stipulated under the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ratified by our country, is excluded.

On several occasions, the report carries inaccurate and arbitrary allegations of police use of heavy armaments, including tanks, during the anti-terrorist operations in some villages of the Drenica region. However, the members of the police used the routine police armaments exclusively, tanks not being among those. This Ministry has in its possession a number of helicopters, used on these occasions for evacuation of the injured only.

In conclusion, I would like to point to indirect and direct interference of the Republic of Albania in the events occurring in Kosovo and Metohija and to terrorist incursions from Albania aimed at committing diversions and terrorist operations in our country. On some occasions, the Army of Yugoslavia thwarted the attempts to enter into our country to armed terrorist groups from Albania, whose past operations have been conducive to escalation of terrorist actions in Kosovo and Metohija in the first quarter of 1998. The number of liquidated terrorists, the quantity and origin of the firearms and military material seized, the number of border incidents and the kidnappings, torture and killings of civilians and members of police of the Republic of Serbia is in testimony to this. The largest number of terrorists have been trained at military firing ranges of Albania, with the best among them being further sent to West European countries for attending additional, advanced sabotage-terrorist courses.

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Item 8 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Letter dated 3 June 1998 from the Permanent Observer for Palestine to the United Nations Office at Geneva addressed to the High Commissioner for Human Rights

The Israeli occupation authorities demolished yesterday six Palestinian-owned houses in the occupied City of Jerusalem and in the villages nearby, thus bringing the number of Palestinian homes demolished by the Israeli occupation forces in the Palestinian Territory since the accession of Mr. Benjamin Netanyahu to power in Israel to 270 homes.

Furthermore, groups of settlers have recently expropriated, under the protection of the Israeli occupation soldiers, a number of Palestinian homes in the occupied City of East Jerusalem.

While these practices are persisting in violation of article 53 of the Fourth Geneva Convention and of the principles of international law, the Israeli occupation authorities continue establishing and expanding settlements in the Holy City in grave violation of article 49 of the Fourth Geneva Convention. They also continue preventing the Palestinian inhabitants of Jerusalem from remaining in their city by revoking their identity cards, and by not allowing them to continue living there.

All these practices are taking place in the framework of a dangerous and serious plan of Judaizing the occupied City of East Jerusalem, committing in this way a crime of war which has been defined in article 85 of Additional Protocol I to the Geneva Conventions of 1949.

I would be grateful to you if you could work in view of putting an end to these grave violations to the principles of international humanitarian law and to human rights, and also to have this letter distributed as an official document of the fifty-fifth session of the Commission on Human Rights, under agenda item 8.

(Signed): Nabil RAMLAWI
Ambassador
Permanent Observer for Palestine
to the United Nations Office
in Geneva

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COMMISSION ON HUMAN RIGHTS
Fifty-fifth session
Item 3 of the provisional agenda

ORGANIZATION OF THE WORK OF THE SESSION

Statistics relating to the fifty-fourth session of the Commission on Human Rights

Note by the Secretariat

The statistics contained in the annex have been collected by the Secretariat for the information of the Commission with respect to the organization of its work at its fifty-fifth session.

GE.99-10283 (E)

ANNEX

Statistical data relating to the work of the fifty-fourth session of the Commission on Human Rights

I. PARTICIPANTS

	Number of delegations	Number of participants	Percentage of total participants
Member States	53	609	19.8
Observer States	88	552	17.9
Non-member States	2	21	0.7
National liberation movement	1	4	0.1
United Nations bodies	8	111	3.6
United Nations Secretariat	6	17	0.6
Specialized agencies	10	53	1.7
Intergovernmental and other organizations	12	57	1.9
NGOs (Total)	203	1 656	53.7
- General status	24	231	7.5
- Special status	134	1 085	35.2
- Roster	45	340	11
TOTAL	383	3 080	100

II. MEETINGS AND PARALLEL ACTIVITIES

A. Plenary meetings

Total number of meetings 60

- additional meetings 11
- cancelled meetings 1

B. Parallel activities

Total number of meetings 455

Working groups	5
Governments	166
NGOs	119
DPI/OHCHR	10
Regional meetings	149
National institutions	6

III. TIME USE

Total time available	177h 00m
Total time used	164h 31m
Total time lost	12h 29m
- due to late starting	1h 45m
- due to early ending	6h 24m
- due to interruptions	4h 20m

IV. INTERVENTIONS AND TIME DISTRIBUTION

A total of 943 interventions 1/ were made in the general debate. Their breakdown is as follows:

Statements	Number	Hours	Average (in minutes)
Member States	281	33.47	7
Observer States	158	13.44	5
Non-member States	11	0.53	5
National liberation movement	1	0.07	7
United Nations bodies	8	0.45	6
Specialized agencies	11	0.59	5
Intergovernmental and other organizations	4	0.29	7
NGOs (Total)	438	36.28	5
- General status	44	3.44	5
- Special status	282	23.18	5
- Roster	112	9.26	5
TOTAL 2/	912	85.12	6

Rights of reply	Number	Hours	Average (in minutes)
Member States	38	1.30	2
Observer States	37	1.18	2
National liberation movement	1	0.03	3
TOTAL	76	2.51	2

Points of order	Number	Hours	Average (in minutes)
TOTAL	4	0.03	1

Dignitaries	Number	Hours
Secretary-General	1	0.16
From Member States	31	7.26
From Observer States	31	7.10
Others	6	1.33
TOTAL	69	15.85

Special rapporteurs/representatives/ experts/chairpersons	Number	Hours
TOTAL	51	9.21

V. DOCUMENTATION

Documents issued for the Commission	Number	Pages*
Pre-session (total)	223	3 981
- General distribution	189	3 474
- Confidential 3/	34	507
In-session (total)	255	1 354
- General distribution (not including NGOs)	34	186
- NGO 4/	109	350
- Limited distribution	103	417
- Miscellaneous	9	401
Post-session (total) (Annual Report of the Commission)	1	485
TOTAL	479	5 820

* The number of pages referred to in the present document applies to the English version.

Background documents	Number	Pages
General distribution	143	1 248
Confidential	31	418
TOTAL	174	1 666

VI. COSTS

A. Translation

The cost of one page, edited, translated into the six official United Nations languages, reproduced and distributed, has been estimated at US$ 2,136.

B. Interpretation

One hour of interpretation	US$	2,681
Total costs of interpretation	US$	474,537

VII. VOTING

A total of 90 draft resolutions and 16 draft decisions were submitted during the fifty-fourth session of the Commission.

A total of 26 hours and 26 minutes were used for voting in 16 meetings of the plenary.

A. Voting on draft resolutions and draft decisions

Resolutions*	Number
Adopted by consensus	62
Adopted by roll-call vote	18
Adopted by show of hands	4
TOTAL	84

* Four draft resolutions recommended by the Sub-Commission were superseded; two draft resolutions were rejected.

Decisions*	Number
Adopted by consensus	10
Adopted by roll-call vote	2
TOTAL	12

* Four draft decisions recommended by the Sub-Commission were superseded; a motion of non action was taken on one draft decision.

B. Classification of adopted resolutions and decisions

	Country	Thematic	Other
Resolutions	16	24	44
Decisions	1	1	10
TOTAL	17	25	54

Notes

1/ Interventions made during the closed sessions and the voting process are not included. These amount to 30 hours and 35 minutes.

2/ Four per cent (39 in total) were group statements. This represents more than 6 per cent of the time of all statements.

3/ Confidential documents are issued in English, French, Russian and Spanish only, except for the confidential report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the report of the "Working Group on Situations" and the confidential decisions adopted by the Commission, which are issued in all six official languages.

4/ NGO documents are issued in English, French and Spanish only.